

# GENERAL AGREEMENT ON

RESTRICTED

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# TARIFFS AND TRADE

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## EUROPEAN ECONOMIC COMMUNITY - BANANA IMPORT REGIMES

### Request for Consultations under Article XXII:1 by Colombia, Costa Rica, Guatemala, Nicaragua and Venezuela

The following communications (1 and 2), dated 12 and 16 June 1992, sent jointly by the Permanent Missions of Colombia, Costa Rica, Guatemala, Nicaragua and Venezuela in Geneva to the Permanent Delegation of the Commission of the European Communities, are circulated in accordance with paragraph C.4 of the CONTRACTING PARTIES' 1989 Decision on Improvements to the GATT Dispute Settlement Rules and Procedures (BISD 36S/62).

#### Communication 1

On behalf of the Governments of Colombia, Costa Rica, Guatemala, Nicaragua and Venezuela, we officially request the holding of consultations with the European Community in accordance with the provisions of Article XXII:1 of the General Agreement on Tariffs and Trade.

The purpose of these consultations is to discuss the banana import régimes in force in certain member States in the light of the application of the General Agreement and their consistency with the rights and obligations thereunder, as well as the proposal for a unified régime applicable to banana imports recently adopted by the Commission of the European Community.

In our capacity as developing contracting parties and in accordance with paragraph 5 of the Understanding Regarding Notification, Consultation, Dispute Settlement and Surveillance, we request the European Community to agree to consultations in order to ensure that special attention is given to our concern.

In accordance with the Understanding Regarding Improvements to the GATT Dispute Settlement Rules and Procedures of 1989 (Montreal Rules), we request the European Community kindly to reply to this request within ten days after its receipt so that the consultations may take place within the thirty-day period provided in the Montreal Rules.

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In accordance with those Rules, we are also sending a copy of this request to the Director-General of GATT, with the request that it be communicated to all contracting parties.

Accept, Sir, the assurances of our highest consideration.

Communication 2

In response to your request for a more specific indication of the matters that would be examined during the consultations we have requested under Article XXII:1 of the General Agreement, we wish to state the following:

As mentioned in the request for consultations transmitted to you on 12 June 1992, the purpose of the consultations is:

"... to discuss the banana import régimes in force in certain member States in the light of the application of the General Agreement and their consistency with the rights and obligations thereunder, as well as the proposal for a unified régime applicable to banana imports recently adopted by the Commission of the European Community."

On the understanding that the information contained herein does not limit the scope of our request for consultations, we may mention that the examination of the current banana import régime of the European Community will have to cover the régimes applied by Spain, France, Greece, Italy, Portugal and the United Kingdom. It will be necessary to examine the measures applied by these countries, among which mention may be made of quantitative restrictions, import licensing, rules for internal market management and offer systems, among others.

It is also necessary to examine the EC Commission's proposal on the unified régime for banana imports, as mentioned; points to be considered will include the initial quota, tariff applied and allocation, and the autonomous quota, tariff applied and allocation.

The above information is not intended to be an exhaustive enumeration of the points falling within the scope of the consultations.

Accept, Sir, the assurances of our highest consideration.